

FABIANI COHEN & HALL, LLP

ATTORNEYS AT LAW

570 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022

—
(212) 644-4420
FAX (212) 207-8182

April 12, 2007

VIA ECF

Judge Joanna Seybert
100 Federal Plaza
Central Islip, NY 11722-9014

Re: Betty Dorce Exume, et al. v. Greyhound Lines, Inc.
Our File No.: 818.34464
Civ. 06 6540

Dear Judge Seybert:

This office represents the defendant Greyhound Lines, Inc. in the above matter. By way of this letter, we seek your guidance in effectuating the transfer of this matter on consent of the parties to the Southern District where four related actions are presently pending before Judge Leisure. If acceptable to this Court, the parties would be desirous of the Court to so-order a stipulation effectuating the transfer. Below, we have provided the Court with the relevant background of this litigation.

BACKGROUND

This case arises out of an August 28, 2006 bus accident that occurred in upstate New York (in Essex County) when a Greyhound bus, traveling to Montréal, Canada, went off the road. Five people were killed, including the Greyhound bus driver, and many of the passengers on the bus are claiming injuries. To date, in addition to this action (4 plaintiffs), four actions have been commenced in the Southern District of New York: Anderson v. Greyhound and Laidlaw, 06 Civ. 13371 (1 plaintiff), Breton v. Greyhound, 06 Civ. 07110 (3 plaintiffs), Santiago v. Greyhound, 06 Civ. 07108 (4 plaintiffs) and Wang v. Greyhound, 06 Civ. 11382 (1 plaintiff). All of the Southern District cases are assigned to Judge Peter K. Leisure. This office represents Greyhound in the Southern District actions.

This Action

In this action Greyhound served its Rule 26 Initial Disclosures on February 16, 2007. The plaintiff's served their Automatic Disclosure on March 27, 2007 and also served Combined Discovery Demands at the same time -- although the parties have not yet held a Rule 26 (f) conference. An April 12, 2007 conference before Magistrate Judge Wall was adjourned without date in light of the parties desire to transfer this matter to the Southern District.

Judge Joanna Seybert
Re: Betty Dorce Exume
April 12, 2007
Page 2

Southern District

There has been little discovery in the Southern District actions other than Rule 26 Initial Disclosures. A Rule 26(f) conference has not been held nor is there a discovery schedule. Several weeks ago there was a conference before Judge Leisure. At that time Judge Leisure was made aware of this case and also advised of an ongoing investigation of the August 28, 2006 bus accident by the National Transportation Safety Board. Judge Leisure adjourned the Southern District actions until May 24, 2007 for a further conference.

We await the Court's response regarding the consensual transfer of this matter to the Southern District of New York and appreciate the Court's attention to this matter.

Very truly yours,



Kevin B. Pollak (KBP6098)

KBP/AZ/lf

cc: **VIA FACSIMILE (212) 805-7913**

Honorable Peter K. Leisure
500 Pearl Street, Room 1910
New York, New York 10007

VIA FACSIMILE (718) 522-3804 and ECF

Robert Petit, Esquire
Rubenstein & Rynecki
Attorneys for Exume Plaintiffs
16 Court Street, Suite 1717
Brooklyn, New York 11241

VIA FACSIMILE (212)233-3130

Jeffrey Michael Rich, Esquire
RICH & RICH, P.C.
Attorneys for Plaintiff Wang
30 Vesey Street
New York, NY 10007

VIA FACSIMILE (212) 967-2105

Kenneth Marder, Esquire
TAUB & MARDER
Attorneys for Santiago Plaintiffs
450 Seventh Avenue, 37th Floor
New York, NY 10123

Judge Joanna Seybert
Re: Betty Dorce Exume
April 12, 2007
Page 3

VIA FACSIMILE (212) 972-9432

James P. Kreindler, Esquire
KREINDLER & KREINDLER
Attorneys for Plaintiff Anderson
100 Park Avenue
New York, NY 10017